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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/111,803	07/08/1998	HIDEO FUKUCHI	JAO-40854	6225

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EXAMINER

CHUNG, DANIEL J

ART UNIT

PAPER NUMBER

2672

DATE MAILED: 03/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/111,803

Applicant(s)

FUKUCHI, HIDEO

Examiner

Daniel J Chung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

Claims 1-33 are presented for examination. This office action is in response to the amendment filed on 1-10-2002.

#### ***Priority***

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Japan on January 28, 1997. It is noted, however, that applicant has not filed a certified copy of the Priority application as required by 35 U.S.C. 119(b).

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawasaki et al (4,246,578) in view of Ying et al (4,057,849), and further in view of Burgan (6,201,526)

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Regarding claim 1, Kawasaki et al discloses that the claimed feature of an information display apparatus (See Abstract, col 1 line 4-col 2 line 26) comprising: a display unit that displays information: (See Abstract, col 1 line 4-col 2 line 26) display control means for controlling a display operation of said display unit: (See Abstract, col 1 line 4-col 2 line 26) and an operating unit that designates a display operation of said display unit, said display control means causing a new line of characters to be started wherever it would otherwise be required to break the work across two lines of a plurality of lines of characters of said information, and displaying the plurality of lines of characters of said information on said display unit in a font having a width that varies according to the type of character displayed, and said display control means controlling the display operation of said display unit so that a spacing between the characters is constant. (See Fig 2, col 2 line 64-col 3 line 32); display control means causing display unit to automatically form a vertical scrolling display when an amount of information to be displayed exceeds a number of lines displayable on display unit in one frame.

Kawasaki et al does not explicitly disclose that a display control means that causes a new line of characters to be started wherever it would otherwise be required to break the word across two lines of characters of information. However, Ying et al discloses the claimed feature of invention. (See col 2 line 16-37) The motivation would have been to avoid the confusion created by breaking a word in two separate lines in improved display system. Therefore, it would have been obvious to one skilled in the art to incorporate the teaching of Ying et al into the teaching of Kawasaki et al.

Kawasaki et al does not specifically disclose that "automatically forming a scrolling display." However, Burgan discloses that automatically processed scrolling method without user's operation. (See Fig 7, col 1 line 10-40, col 3 line 31-39) The motivation would have been to provide the convenient way to see next unrevealed information for user. Also, the function of automatic scrolling will advantageously save the time and cost by eliminating the step of user's operations such as moving the mouse and pressing the button, as it will allow the user to see next unrevealed information without any delay. Therefore, it would have been obvious to one skilled in the art to incorporate "the automatic scrolling display" of the teaching in Burgan into the teaching of Kawasaki et al.

Regarding claim 2, refer to the discussion for the claim 1 hereinabove, Kawasaki et al discloses that display control means causing a new line of characters to be started whenever it would otherwise be required to break a word across two of said lines of characters. (See Abstract, Fig 2, col 1 line 4-col 2 line 26, col 2 line 64-col 3 line 32)

Regarding claim 3, refer to the discussion for the claim 1 hereinabove, Kawasaki et al discloses that the claimed feature of an information display apparatus, comprising:

A display unit that displays information (See Abstract, Fig 2, col 1 line 4-col 2 line 26, col 2 line 64-col 3 line 32)

Display control means for controlling a display operation of said display unit (See Abstract, Fig 2, col 1 line 4-col 2 line 26, col 2 line 64-col 3 line 32)

An operating unit that designates a display operation of said display unit, said display control means causing said display unit to form a fixed display when an amount of information to be displayed is not greater than a number of lines displayable on said display unit in one frame (See Abstract, Fig 2, col 1 line 4-col 2 line 26, col 2 line 64-col 3 line 32)

display control means causing said display unit to automatically form a vertical scrolling display when an amount of information to be displayed exceeds a number of lines displayable on said display unit in one frame, the operation of automatically forming a scrolling display being provided by virtue of automatic operation of the display control means and operating unit without manual operation of a user. (See Abstract, Fig 2, col 1 line 4-col 2 line 26, col 2 line 64-col 3 line 32)

Regarding claim 4, Kawasaki et al discloses that display control means causing the scrolling display to be automatically scrolled a plurality of times continuously by said display unit. (See Abstract, Fig 2, col 1 line 4-col 2 line 26, col 2 line 64-col 3 line 32)

Regarding claim 5, refer to the discussion for claim 4 hereinabove, Burgan discloses that display control means changing a scroll speed for forming the scrolling display in accordance with an operation performed on said operating unit. (See Abstract, Fig 1-7, col 1 line 10-40, col 3 line 31-39)

Regarding claim 6, refer to the discussion for claim 4 hereinabove, Burgan discloses that display control means changing the scroll speed in accordance with an operation externally performed on said operating unit, the operation providing an instruction to change a predetermined scroll speed determined at the start of the scrolling display. (See Abstract, Fig 1-7, col 1 line 10-40, col 3 line 31-39)

Regarding claim 7, refer to the discussion for claim 4 hereinabove, Burgan discloses that display control means presetting the scroll speed determined at the start of the scrolling display by operation of a switch button on said operating unit. (See Abstract, Fig 1-7, col 1 line 10-40, col 3 line 31-39)

Regarding claim 8, refer to the discussion for claim 4 hereinabove, Burgan discloses that display control means causing said display unit to form [a demonstration display] at a currently set scroll speed, the scroll speed being determined at the start of the scrolling display by said operating unit. (See Abstract, Fig 1-7, col 1 line 10-40, col 3 line 31-39)

Burgan does not explicitly disclose that “ demonstration display at a currently set scroll speed.” However, it would have been obvious to one having ordinary skill in the art at the time of Applicant ‘s invention, because using a demonstration display will advantageously allow the user to set the scrolling speed with easy manner.

Regarding claim 9, claim 9 is equivalent to claim 3 and thus the rejection to claim 3 hereinabove is also applicable to claim 9.

Regarding claim 10, Kawasaki et al discloses that display control means causing said display unit to display information formed of a group of characters vertically or horizontally over a plurality of lines. (See Abstract, Fig 1, Fig 2, col 2 line 64-col 3 line 32)

Regarding claims 11-14, claims 11-14 are respectively equivalent to claims 5-8, and thus the rejections to claims 5-8 hereinabove are also respectively applicable to claims 11-14, but applied in view of the rejections to base claim 9.

Regarding claims 15, Kawasaki et al discloses that a communication circuit that receives information, the information received via said communication circuit being displayed on said display unit in response to said display control means. (See Fig 2, col 2 line 64-col 3 line 32)

Regarding claim 16, claim 16 is equivalent to claim 15, and thus the rejection to claim 15 hereinabove is also applicable to claim 16, but applied in view of the rejection to base claim 9.

Regarding claims 17 and 18, claims 17 and 18 are equivalent to claim 3, and thus the rejection to claim 3 hereinabove is also applicable to claims 17 and 18, but applied in view of the rejection to base claims 15 and 16.

Regarding claim 19, refer to the discussion for claim 1 hereinabove, Kawasaki et al discloses that an antenna unit for receiving a signal via said communication circuit. (See Fig 2, col 2 line 64-col 3 line 32)

Kawasaki et al does not explicitly disclose that "an antenna unit." However, it would have been obvious to one having ordinary skill in the art at the time of Applicant's invention, because an antenna unit is necessarily required for receiving a signal in communication system.

Regarding claim 20, claim 20 is equivalent to claim 19, and thus the rejection to claim 19 hereinabove is also applicable to claim 20, but applied in view of the rejection to base claim 16.

Regarding claim 21, refer to the discussion for claim 1 hereinabove, Kawasaki et al discloses that communication circuit receiving an individually selective calling signal or a message via said antenna unit. (See Fig 2, col 2 line 64-col 3 line 32)

Regarding claim 22, claim 22 is equivalent to claim 21, and thus the rejection to claim 21 hereinabove is also applicable to claim 22, but applied in view of the rejection to base claim 20.

Regarding claim 23, Kawasaki et al discloses that display control means comprising at least one of a processing unit and a storage device. (See Fig 3, Fig 11, col 1 line 39-47)

Regarding claim 24, Kawasaki et al discloses that processing unit comprising at least one of a switching monitor section and a message determining section. (See Fig 3, Fig 11)

Regarding claim 25, Kawasaki et al discloses that storage device storing a plurality of fonts. (See Fig 3, Fig 11, col 1 line 39-47)

Regarding claims 26-28, claims 26-28 are respectively equivalent to claims 23-25, and thus the rejections to claims 23-25 hereinabove are also respectively applicable to claims 26-28, but applied in view of the rejections to base claim 3.

Regarding claims 29-32, claims 29-32 are similar in scope to the claims 1 and 3, and thus the rejections to claims 1 and 3 hereinabove are also applicable to claim 29-32.

Regarding claim 33, Kawasaki et al discloses that display control means displaying the plurality of lines of characters of said information on said display unit in a font having a width that varies according to the type of character displayed, and said display control means controlling the display operation of said display unit so that a spacing between the character is constant. (See Fig 2, col 2 line 64-col 3 line 32)

### ***Response to Arguments/Amendments***

Applicant's arguments filed 1-10-2002 have been fully considered but they are not persuasive.

Applicant argued that the cited reference does not teach that "a display controller causing a display unit to automatically forming a vertical scrolling display." (See Remarks p.4 line 20-23, p. 5 line 5-6, p. 5 line 9-10, p. 5 line 14-15) However, Burgan clearly discloses that "As is well known in the prior art, messages of length greater than the maximum number of characters that are displayable on the viewable portion of the visual display automatically process[can be any direction], i.e., scroll, from one edge of the visual display to another edge of the visual display until the entire message has appeared on the visual display", in his background of invention. (See col 3 line 31-36)

Also, In response to applicant's argument that there is no suggestion to combine the references,(See Remarks p. 6 line 1-3) the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it was well known that the method of automatic scrolling in the Burgan will advantageously save the time and cost by eliminating the step of user's operation(i.e. moving mouse, enter key buttons), as it will allow the user to see next unrevealed information without delay. Therefore, it would have been obvious to one having ordinary skilled in the art to incorporate "automatic scrolling process" into the cited reference.

### ***Conclusion***

Applicant's response and amendment are not persuasive. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Chung whose telephone number is (703) 306-3419. He can normally be reached Monday-Thursday and alternate Fridays from 7:30am- 5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael, Razavi, can be reached at (703) 305-4713.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

djc  
March 14, 2002

A handwritten signature in black ink, appearing to read 'Matthew Luu', with a large, stylized initial 'M' and a long horizontal stroke extending to the right.

**MATTHEW LUU**  
**PRIMARY EXAMINER**